

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

RONALD SHAMON and)
PATRICIA SHAMON,)
)
Plaintiffs)
) Civil Action No. 04-11674-WGY
v.)
)
UNITED STATES OF AMERICA,)
)
Defendant.)
)

**PLAINTIFF'S MOTION TO EXTEND
SETTLEMENT ORDER OF DISMISSAL**

The Plaintiff, Ronald Shamon, moves this honorable Court for an order extending the Settlement Order of Dismissal, currently set to expire on January 31, 2005, up to and including February 13, 2006.

In support of this motion, the Plaintiff states the following:

1. This is a medical malpractice action in which the Plaintiff, Ronald Shamon, alleges that he received negligent treatment from various agents and employees of the Defendant.
2. Following a jury-waived trial, the parties reached a settlement of this matter.
3. On December 15, 2005, the Court issued a Settlement Order of Dismissal, attached hereto as Exhibit A.
4. On January 12, 2006, Plaintiff's counsel contacted defense counsel to inquire as to the status of the settlement check. In response, defense counsel informed Plaintiff's counsel

that the settlement check had not yet been received. He further informed Plaintiff's counsel that the settlement check may not be available for several more weeks.

5. On January 13, 2006 the Plaintiff filed a Motion to Extend Settlement Order of dismissal, which was allowed by the Court on January 18, 2006.

6. On January 30, 2006, Plaintiff's counsel contacted defense counsel to inquire as to the status of the settlement check. In response to this inquiry, defense counsel informed plaintiff's counsel that he expected that the settlement check would be delivered no later than the week ending February 10, 2006.

Conclusion

7. Wherefore, in light of the foregoing, the Plaintiff requests that the Court extend the current Settlement Order of Dismissal up to and including February 13, 2006 in order to provide the Defendant with sufficient time to process the settlement check.

8. The Plaintiff does not anticipate the need to file any additional Motions to Extend the Settlement Order of Dismissal.

Respectfully submitted,

RONALD SHAMON

/s/ Michael R. Perry
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DATED: January 31, 2006
(445420)